IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION NO :12012 of 2006

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Dated: 16th June 2006.

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Between:

M/s Hyderabad Iron and Hardware Mar Chants

..... PETITIONER

AND

The Additional Commissioner (CT) Legal, Office of the Commercial Taxes, Andhra Pradesh, Hyderabad and others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

W.P.NO.12012 OF 2006

ORAL ORDER:

(Per the Hon'ble Sri Justice J.Chelameswar)

Aggrieved by a decision of the 1st respondent dated 11-05-2006, by which the 1st respondent rejected the application seeking stay of the recovery of tax from the petitioner pending appeal before the Sales Tax Appellate Tribunal, against a revisionary order dated 18-08-2005 of the 2nd respondent, the present writ petition is filed.

Heard the learned Special Government Pleader for Taxes.

From the facts, it appears that the tax demanded, pursuant to the revisionary order referred above, is Rs.1,50,550/- and in the affidavit it is asserted by the petitioner that out of the abovementioned demand, an amount of Rs.87,638/-, was already paid by the petitioner.

In the circumstances, we are of the opinion that the ends of justice would be met by disposing of the writ petition at the admission stage, directing the respondents not to recover the demanded tax from the petitioner during the pendency of the appeal.

Accordingly, the writ petition is disposed of with the above direction.

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J.Chelameswar, J

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D.Appa Rao, J

16th June 2006

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